

SOUTHERN

## United States District Court

DISTRICT OF  
McALLEN DIVISION

TEXAS

OCT 17 2014

United States District Court  
Southern District of Texas  
FILED

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

## CRIMINAL COMPLAINT

Roberto Alan Flores  
A202 130 016

YOB:

PRINCIPAL  
1988

United States

Case Number:

M-14-2023-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about October 15, 2014 in Starr County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Jorge Eduardo Yanez-Sanchez, citizen and national of Mexico and two (2) other undocumented aliens for a total of three (3) who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Rio Grande City, Texas to the point of arrest near Rio Grande City, Texas.

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On October 15, 2014 at approximately 9:25 p.m., Border Patrol Agent Bugenhagen responded to sensor activity to an area behind the LACKS Furniture Store neighborhood in Rio Grande City, Texas. Agent Bugenhagen observed 3 possible undocumented aliens run from the brush and enter a gray Chevy Malibu. This area is approximately 100 yards from the Rio Grande River and is notorious for alien smuggling due to the close proximity to the river. Agent Bugenhagen immediately notified nearby agents, via service radio, of the situation and further advised that the vehicle was traveling north on the eastern-most road of the neighborhood. Agent Ramos Jr, responded and encountered the gray Chevy Malibu at the intersection of Arrendondo St. and Ayala St. Arrendondo Street is the eastern-most road of the neighborhood.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Approved by

Dail [Signature] 10/17/14

Sworn to before me and subscribed in my presence,

October 17, 2014  
Date

8:55am

at

McAllen, Texas  
City and StatePeter E. Ormsby, U. S. Magistrate Judge  
Name and Title of Judicial Officer

Eduardo Cortez

Signature of Complainant

Eduardo Cortez Senior Patrol Agent

Printed Name of Complainant

[Signature]  
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-14-2023-M**

**RE: Roberto Alan Flores**

**A202 130 016**

**CONTINUATION:**

Agent Ramos Jr. observed the driver later identified as Roberto Alan FLORES, appeared nervous avoiding eye contact with him, grabbed the steering wheel "white knuckling" and froze at the intersection. The 3 passengers in the vehicle were avoiding eye contact as well.

Agent Ramos Jr. proceeded to conduct and vehicle to stop to determine the alienage on the occupants. The vehicle stopped without incident and the driver FLORES, stated that he was a United States Citizen. The 3 passengers were determined to be undocumented aliens illegally present in the United States. During the vehicle stop, FLORES stated that he had a handgun inside the trunk of the vehicle. A search of the trunk revealed a Cobra 380 automatic hand gun in a black case. All checks on the weapon came back negative stolen. All subjects were then transported to the Rio Grande City Border Patrol Station for further processing.

Once at the station, records checks for FLORES revealed that on July 5, 2014, he was the driver of a 1 on 9 Administrative Alien Smuggling Case. He was not prosecuted at that time.

**Principal Statement:**

Roberto Alan FLORES was read his Miranda Rights by Border Patrol Agents. FLORES understood his rights and gave a statement without an attorney present.

FLORES states that he was going to get paid \$300 for each illegal alien that he transported from behind the LACKS Furniture Store in Rio Grande City, Texas to the H.E.B. located in Alamo, Texas. He made arrangements with a subject by the name of "Camargo" to pick up the aliens in an alley behind the LACKS. Once he picked up the aliens, he told them to put on their safety belts. He was pulled over by Border Patrol shortly after. He further stated that he has been arrested once before for transporting undocumented aliens. He has picked up aliens twice, after that arrest.

**MATERIAL WITNESSES STATEMENTS:**

Once at the Border Patrol Station, the material witnesses was advised of his Miranda Rights. He stated that he understood his rights and was willing to provide a statement without the presence of an attorney.

Jorge Eduardo YANEZ-Sanchez stated that his brother made smuggling arrangements for him with an unknown smuggler to be smuggled to Brownsville, Texas for a fee of \$1,000. On October 15, 2014, his group was smuggled by raft across the Rio Grande River. The guide instructed them to follow a fence to where a car with its lights on was waiting for them. They followed the instructions and entered the car. Once inside, the driver told them to put on their safety belts. They then drove for about two minutes and were pulled over by Border Patrol. YANEZ identified Roberto Alan FLORES as the driver of the vehicle.